

Exhibit



A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

CARESA SOPHIA DAWKINS,

Plaintiff,

- against -

WAL-MART STORES EAST, LP,

Defendant.

-----X SUMMONS

Index No.: 31177/2020E
Date purchased

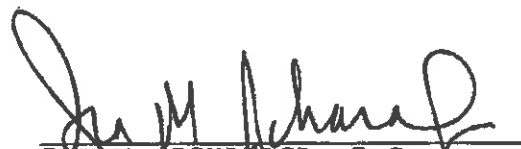
Plaintiff designates
BRONX County
As the Place of Trial

Basis of Venue is
Plaintiff's Residence

-----X
To the above named Defendant(s)

YOU ARE HEREBY SUMMONED to answer the complaint in this action, and to serve a copy of your answer, or if the complaint is not served with this summons, to serve notice of appearance, on the Plaintiff's Attorney within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated: Woodmere, New York
September 29, 2020


IRA M. SCHARAGA, P.C.
Attorney for Plaintiff
920 Railroad Avenue
Woodmere, New York 11598
(516) 490-8800

Defendant(s) Address

WAL-MART STORES EAST, LP,
28 Liberty Street
New York, New York 10005

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
CARESA SOPHIA DAWKINS,

Plaintiff,

VERIFIED
COMPLAINT

Index No.: 31177/2020E

- against -

WAL-MART STORES EAST, LP,

Defendant.
-----X

Plaintiff, as and for her Verified Complaint, complaining of the Defendant, by her attorney, IRA M. SCHARAGA, P.C., alleges and states as follows:

AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF THE PLAINTIFF CARESA SOPHIA DAWKINS

1. That at all times herein mentioned, the Plaintiff, **CARESA SOPHIA DAWKINS**, was and still is a resident of the County of BRONX, City and State of New York.

2. Upon information and belief, that at all times hereinafter mentioned, the Defendant, **WAL-MART STORES EAST, LP**, was and is a foreign business corporation duly organized, existing and authorized under and by virtue of the Laws of the State of New York.

3. Upon information and belief, that at all times hereinafter mentioned, the Defendant, **WAL-MART STORES EAST, LP**,

was and is a foreign corporation licensed to do business in the State of New York, pursuant to the Laws of the State of New York.

4. Upon information and belief, that at all times hereinafter mentioned, the Defendant, **WAL-MART STORES EAST, LP**, solicits business in the State of New York.

5. Upon information and belief, that at all times hereinafter mentioned, the Defendant, **WAL-MART STORES EAST, LP**, expects its acts and business activities to have consequences within the State of New York.

6. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, owned the premises commonly known as Walmart, Store #: 3520 located at 400 Park Place, Secaucus, New Jersey 07094.

7. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, rented the premises commonly known as Walmart, Store #: 3520 located at 400 Park Place, Secaucus, New Jersey 07094.

8. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, leased the premises commonly known as Walmart, Store #: 3520 located at 400 Park Place, Secaucus, New Jersey 07094.

9. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, operated the aforesaid store.

10. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, managed the aforesaid store.

11. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, maintained the aforesaid store.

12. That at all times herein mentioned, the defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, controlled the aforesaid store.

13. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, inspected the aforesaid store.

14. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, supervised the aforesaid store.

15. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, allowed said store to remain in a dangerous, defective, and/or hazardous condition.

16. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, had knowingly allowed the store to remain in a dangerous and hazardous condition.

17. That at all times herein mentioned, the Defendant,

WAL-MART STORES EAST, LP, by their agents, servants and/or employees, caused and/or permitted a dangerous condition to exist at the aforesaid store.

18. That at all times herein mentioned, the Defendant, **WAL-MART STORES EAST, LP**, by their agents, servants and/or employees, failed to properly keep the aforesaid store in a safe and clean manner for customers lawfully on the aforesaid premises.

19. That on the 12th day of August 2020, Plaintiff, **CARESA SOPHIA DAWKINS**, was a lawful customer at the aforesaid store.

20. That on the 12th day of August 2020, Plaintiff, **CARESA SOPHIA DAWKINS**, was caused to sustain serious and severe personal injuries as a result of a slip and fall on the floor at the aforementioned store.

21. That solely by reason of the negligence, recklessness and carelessness of the defendant, its agents, servants and/or employees as aforesaid, Plaintiff, **CARESA SOPHIA DAWKINS**, became sick, sore, lame, bruised and disabled; received serious permanent and severe injuries in and about diverse parts of her person was caused to undergo surgery to her right knee and experienced great pain and suffering and continues to suffer from said injuries, that said Plaintiff, **CARESA SOPHIA DAWKINS**, has been informed and verily believes said injuries to be permanent in nature and Plaintiff is and will be incapacitated for a long

period of time, and Plaintiff was compelled to and did seek medical aid, attention and treatment and care and will be compelled to do so in the future and Plaintiff, **CARESA SOPHIA DAWKINS**, was in other ways damaged.

22. That the occurrence was caused solely by the negligence, recklessness, and carelessness of the Defendant herein, its agents, servants, and/or employees, without any negligence on the part of the Plaintiff contributing thereto.


23. This action falls within one or more of the exceptions set forth in Article 16 of the CPLR.

24. That by reason of the foregoing, the Plaintiff, **CARESA SOPHIA DAWKINS**, has been damaged in an amount which exceeds the jurisdictional limits of all lower courts that would otherwise have jurisdiction and said amount is to be determined by this Honorable Court, all together with costs and disbursements of this action.

WHEREFORE, the plaintiff demands judgment against the defendant as follows:

Plaintiff demands judgment against the defendant **In the First Cause of Action**, in an amount which exceeds the jurisdictional limits of all lower courts that would otherwise have jurisdiction and said amount is to be determined by this Honorable Court all together with the costs and disbursements of this action.

Dated: Woodmere, New York
September 29, 2020



IRA M. SCHARAGA, P.C.
Attorney for Plaintiff
920 Railroad Avenue
Woodmere, New York 11598
(516) 490-8800

STATE OF NEW YORK, COUNTY OF NASSAU:

I, IRA M. SCHARAGA, the undersigned, am an attorney admitted to practice in the Courts of New York State, and say that I am the attorney of record, or of counsel with the attorney(s) of record, for the plaintiff(s) herein. I have read the annexed Summons and Complaint and know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the following: Telephone conversations with the plaintiff review of documents in file.

The reason I make this affirmation instead of plaintiff(s) is because the plaintiff(s) reside in a county other than where your affirmant maintains his office.

I affirm that the foregoing statements are true under penalties of perjury.

Dated: Woodmere, New York
September 29, 2020


IRA M. SCHARAGA, ESQ.

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX**

-----X
CARESA SOPHIA DAWKINS,

Plaintiff/Petitioner,

- against -

WAL-MART STORES EAST, LP,

Index No. **31177/2020E**

Defendant/Respondent.
-----X

**NOTICE OF ELECTRONIC FILING
(Consensual Case)
(Uniform Rule § 202.5-b)**

You have received this Notice because:

1) The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts E-filing system ("NYSCEF"), and

2) You are a Defendant/Respondent (a party) in this case.

● **If you are represented by an attorney:**

Give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).

● **If you are not represented by an attorney:**

You will be served with all documents in paper and you must serve and file your documents in paper, unless you choose to participate in e-filing.

If you choose to participate in e-filing, you must have access to a computer and a scanner or other device to convert documents into electronic format, a connection to the internet, and an e-mail address to receive service of documents.

The benefits of participating in e-filing include:

- serving and filing your documents electronically
- free access to view and print your e-filed documents
- limiting your number of trips to the courthouse
- paying any court fees on-line (credit card needed)

To register for e-filing or for more information about how e-filing works:

- visit: www.nycourts.gov/efile-unrepresented or
- contact the Clerk's Office or Help Center at the court where the case was filed. Court contact information can be found at www.nycourts.gov

To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either consent or decline consent to electronic filing and service through NYSCEF for this case.

Attorneys registered with NYSCEF may record their consent electronically in the manner provided at the NYSCEF site. Attorneys not registered with NYSCEF but intending to participate in e-filing must first create a NYSCEF account and obtain a user ID and password prior to recording their consent by going to www.nycourts.gov/efile

Attorneys declining to consent must file with the court and serve on all parties of record a declination of consent.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: October 1, 2020

Ira M. Scharaga, Esq.

Name

Ira M. Scharaga, P.C.

Firm Name

920 Railroad Avenue

Woodmere, New York 11598

Address

(516) 490-8800

Phone

ira@iraslaw.com

E-Mail

To: Wal-Mart Stores East, LP

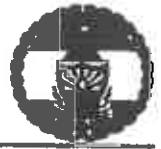
28 Liberty Street

New York, New York 10005

2/24/20



NYSCEF - Bronx County Supreme Court Confirmation Notice



The NYSCEF website has received an electronic filing on 10/01/2020 01:32 PM. Please keep this notice as a confirmation of this filing.

Index Number NOT assigned
Caresa Sophia Dawkins v. Wal-mart Stores East, LP
Assigned Judge: None Recorded

Documents Received on 10/01/2020 01:32 PM

Doc #	Document Type
1	SUMMONS + COMPLAINT

Filing User

Ira Scharaga | ira@iraslaw.com
920 Railroad Ave, Woodmere, NY 11598

E-mail Notifications

An email regarding this filing has been sent to the following on 10/01/2020 01:32 PM:

IRA SCHARAGA - ira@iraslaw.com

Email Notifications NOT Sent

Role	Party	Attorney
Respondent	Wal-mart Stores East, LP	No consent on record.

* Court rules require hard copy service upon non-participating parties and attorneys who have opted-out or declined consent.

Hon. Luis M. Diaz, Bronx County Clerk

Phone: 718-590-8122 (fax) Website: <http://www.bronxcountyclerkinfo.com/law>

NYSCEF Resource Center, nyscef@nycourts.gov

Phone: (646) 386-3033 | Fax: (212) 401-9146 | Website: www.nycourts.gov/efile

Enclosure

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

CARESA SOPHIA DAWKINS,

Plaintiff,

-against-

WAL-MART STORES EAST, LP,

Defendant.

VERIFIED SUMMONS AND COMPLAINT

IRA M. SCHARAGA, ESQ.

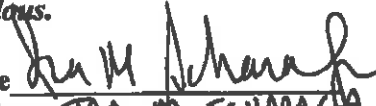
Attorneys at Law

Attorneys for Plaintiff (s)

920 Railroad Avenue
Woodmere, New York 11598
(516) 490-8800

Pursuant to 22 NYCRR 130-1-1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: 10/1/20

Signature 
Print Signer's Name IRA M. SCHARAGA

Service of a copy of the within

is hereby admitted.